

APPENDIX D.
FINAL EVALUATION SUMMARY INFORMATION
FOR ISABELLA COUNTY DEMONSTRATION PROJECT

Located near the center of Michigan's lower peninsula, Isabella County is one of the middle-sized counties among the six demonstration sites.⁴⁵ Table D-1 below summarizes findings for Isabella County under core evaluation criteria. Table D-2 summarizes results from focus group meetings facilitated by NCSC evaluators in April 1998. Table D-3 summarizes findings under special evaluation criteria.

⁴⁵ For more details, see David Steelman, Karen Gottlieb, and Dawn Rubio, *Michigan Trial Court Consolidation, Volume Four: Final Evaluation of Isabella County Demonstration Project* (Denver, CO: National Center for State Courts, Court Services Division, 1998).

**TABLE D-1.
SUMMARY OF FINDINGS FOR ISABELLA COUNTY
UNDER CORE EVALUATION CRITERIA***

Core Criterion	Summary of Final Evaluation Findings
1. How does consolidation affect the use of judicial and quasi judicial resources?	While the court is formally organized into family, civil, criminal and appellate divisions, the judges share work in each division: one judge concentrates on civil and criminal trials; the second on issues involving children and families; and the third on high-volume short-duration matters. The judges help one another each day on an ad-hoc basis. This combination of concentration plus ad-hoc mutual assistance balances flexibility and specialization. The use of out-of-county judges in the county was sharply lower in 1997 than in 1995. After a period of experience with project implementation, the three judges agreed to meet weekly to make decisions together, and the court's Judicial Council has become a forum to introduce issues and disseminate information. All quasi judicial officers in the court are non-attorneys. The court has appointed the FOC referee and the juvenile referee as backup magistrates. The FOC and juvenile referees coordinated their efforts to make better use of space resources. Anecdotal reports are that the magistrate and referee workload has increased significantly under the demonstration project.
2. What is the effect of having a family division as part of each demonstration project?	Having all family matters with children come before one judge is seen as a means to avoid jurisdictional overlap and conflicting court orders. Moreover, the judge knows the family history, the dynamics of the parent/child interplay, and the available community service/intervention options, resulting in more effective judicial decisions. Most of the court process participants are supportive of the concept and believe that the family division provides greater service to the public. Although highly complimentary of the judge's ability, compassion and knowledge, some of those interviewed reported that a drawback of the current family division operation is that the judge is extremely busy and over booked. One of the problems that the leaders of the demonstration project had to address was the impact of having a greater concentration of people in crisis for court support staff to deal with each day. To provide more of a "service center" approach to provide comprehensive services to litigants in actions affecting families, the Trial Court created a "Family Court Specialist" position. The person in the new position is to be a combination of FOC caseworker and juvenile probation officer. Court personnel in the family division feel overburdened because they perceive that staffing levels are inadequate for family court services as caseloads continue to rise. Court personnel also assert that the family division would operate more efficiently if there were more complete integration of computer information systems among the family court support services. There are issues of confidentiality and finances, however, that continue to impede the integration process.

* For more details, see David Steelman, Karen Gottlieb and Dawn Rubio, *Michigan Trial Court Consolidation. Volume Four: Final Evaluation of Isabella County Demonstration Project* (Denver, CO: National Center for State Courts, Court Services Division, 1998), Chapter II.

TABLE D-1 (continued).
SUMMARY OF FINDINGS FOR ISABELLA COUNTY
UNDER CORE EVALUATION CRITERIA

Core Criterion	Summary of Final Evaluation Findings
<p>3. How does consolidation affect the cost-effectiveness of court operations (e.g., by reducing administrative and service duplications)?</p>	<p>Local cross assignment of judges has sharply reduced costs for having out-of-county judges assigned to the court. Circuit-level cases pending at the end of 1997 were 10% lower than at the end of 1995, although times to disposition were generally longer. Estate matters remained about the same. Juvenile filings increased significantly from 1995 to 1997, but the court had better times to disposition in 1997. At the district level, there were fewer pending minor traffic matters at the end of 1997 than in 1995, but there were more pending felonies, misdemeanors and drunk-driving cases. The percentage of cases disposed within statewide guidelines was about the same in 1997 as in 1995, however. Centralization of court clerical staff in one location was accomplished in January 1997, resulting in easier public access; increased staff productivity through cross training and redistribution of workloads; and increased staff capacity to deal with workload increases. Staff members have been unhappy about centralization, however. Assignment of all judge scheduling to one assignment clerk has eased coordination of judge work and freed staff members for other work. Merger of court recorder and court clerk functions and cross training of court recorders and court reporters have increased efficiency and reduced costs.</p>
<p>4. How does consolidation affect key stakeholders' perceptions of court operations?</p>	<p>Court and county leaders are positive about the project. Centralization of the clerical staff of the court system was seen on the one hand as something that has helped efficiency and convenience for citizens, and on the other hand as a source of considerable transitional difficulty. The creation of a family division was viewed as a very positive development also enhancing efficiency and citizen convenience, although it would create a concentration of more unhappy people for staff members of the division to deal with each day. The limitations of existing court facilities and the impact of increasing caseloads due to tribal casino gambling and the Traffic Enforcement Team were recognized as problems that the project would have to face. Focus group participants had a less favorable view of the project. Members of the "internal stakeholders" focus group expressed the most negative feelings. This could be due in part to the fact that they were the most directly affected by the change in court processes of all the focus groups. While all the groups agreed that the theory behind consolidation is sound, the negative views they expressed outweighed the positive feelings. Everyone agreed that the central ideas of the demonstration project -- such as centralized court administration, centralized budgeting, increased availability of judges, a family division dealing specifically with the issues facing children and families, expedited case processing times, and creating increased public access to courts -- are admirable. While these are concepts to which all courts should aspire, they asked what costs are worth bearing in order to achieve them. (See Table D-2 for highlights of positive and negative perceptions by members of each focus group.)</p>

TABLE D-1 (continued).
SUMMARY OF FINDINGS FOR ISABELLA COUNTY
UNDER CORE EVALUATION CRITERIA

Core Criterion	Summary of Final Evaluation Findings
<p>5. Does consolidation promote improved coordination with court-related agencies?</p>	<p>The county clerk believes that the consolidation effort has created problems for attorneys and the public in that they do not know where to go to file documents, where to make payments, or what is the courtroom in which they must appear. She continues to have issues with the merger of circuit court reporter and courtroom clerk functions in one person, but the chief judge of the Trial Court provided grounds and authorization in statutes and case law for the court to take that action. Centralization of clerical personnel in one location also presented problems for the county clerk. The county clerk feels that it is not a good idea to file everything in one place. The prosecutor's office reports that in the last ten years the workload for his office has increased by 77% in felony cases, 150% in misdemeanor cases, 150% in juvenile cases and 150% in police reports. The prosecutor finds that the demonstration project allows more flexibility for the court: in effect, the project permits the availability of more judges, since it has reinforced their willingness to help with one another's workload. With a consolidated criminal division and one judge handling most pretrial matters in criminal cases, a guilty plea can be taken on the date set for preliminary examination. This reduces the number of court appearances that prosecutors must make in each case. Tribal casino gambling continues to put a strain on prosecution resources by increasing the number of police officers making arrests, and consequently the number of crimes to be prosecuted. Most of the increases that the prosecutor's office has seen have been misdemeanors and drug related cases.</p>
<p>6. What effect do "obstacles to change" and "change enhancers" have on consolidation?</p>	<p>One of the major "obstacles to change" is the current building for the court and county offices. The decision to consolidate clerical functions meant a wholesale dislocation of court and county office staff. The county building is seriously overloaded with offices and is poorly laid out for court use, which adds to security problems. County commissioners have agreed to find a new 45,000 square foot courthouse facility. A second obstacle was court staff anxiety about the changes being introduced under the demonstration project. When the judges had to make project implementation decisions quickly, court personnel did not feel involved in the change process (even though a newsletter was prepared to keep staff abreast of the changes). Centralization of clerical staff meant that they had to work with new people in a different office setting. Cross training meant not only that they would have to learn new tasks, but also that other staff members with less experience might be doing work they had done well. With the creation of the family division, personnel of the probate court felt that they were facing an additional number of "unhappy people" every day. Court staff members remain dissatisfied with the implementation of the demonstration project. The county clerk's concerns about issues associated with the planned centralization of clerical personnel slowed down its implementation. Consolidation of probation officers to allow greater flexibility in the use of probation officer resources has not been realized. Full merger of circuit, district and juvenile probation officers was not possible in the view of DOC leaders, so that it has been necessary for Trial Court leaders in Isabella County to explore lower levels of cooperation and coordination. Finally, the staff members of the probate court and the district court belong to different unions, and staff members of the county clerk do not belong to a union. The court administrator and the county administrator have begun to develop a uniform court personnel policy and explore the possibility of equalizing staff salaries and benefits.</p>

TABLE D-1 (continued).
SUMMARY OF FINDINGS FOR ISABELLA COUNTY
UNDER CORE EVALUATION CRITERIA

Core Criterion	Summary of Final Evaluation Findings
	<p>To offset the possible problems presented by such obstacles as those above, the demonstration project has several positive features to promote the chance of its success. The willingness of the three judges to work together and to participate in a shared process of deciding how to operate the Trial Court has been critical. Another important element in the design of the demonstration project was the engagement of an administrator to serve all divisions of the Trial Court. Under the supervision of the chief judge, the court administrator has taken over many administrative responsibilities and has also served as an important source of information and support to court staff members. Strategic planning and court staff work groups gave participants an opportunity to contemplate what the courts <i>should</i> be doing in terms of mission and values and created a framework for thinking about the steps that might be necessary to improve operations in light of the mission and values. Despite the dissatisfaction of the court staff members with the prospect of change, their experience and commitment to the court was also a positive feature. In Isabella County, the chief judge has been an instrumental force in executing change. Now that the court administrator is more familiar with court dynamics and court operations, the chief judge will be stepping back from administrative duties and concentrating his efforts on the courtroom.</p>
<p>7. Does consolidation result in improved use of court information systems or other technology, and is that linked to enhanced court efficiency?</p>	<p>The demonstration project budget for the county was amended to provide for networking among the three courts. Conversion to an upgraded JIS (formerly called OSM) system was funded under the project. A unified case management system was to be implemented to improve the efficiency of court operations and the law library network was to be upgraded. Unfortunately, these steps did not occur, and Isabella County court leaders urged the Supreme Court to make court automation and uniform software a priority. Computerization of traffic tickets was another improvement that would save considerable time for both police officers and court personnel. The effort has been hampered, however, by software incompatibility and the reluctance of some law enforcement officers to use the new technology. Video technology was installed in one courtroom to make the record of trial proceedings, but it was not yet in use at the time of information gathering for the final evaluation. The court's 1997 capital budget request included \$47,000 for this purpose, but the installation cost of \$70,000 means that it will take longer for costs to be recouped as a result of savings in additional court reporting fees. The video technology is available for arraignments and video conferencing.</p>
<p>8. What effect does consolidation have on court budgeting?</p>	<p>Total pre-consolidation expenditures in 1995 were 19% higher than in 1994, largely because of a 27% increase in district court expenditures. Actual expenditures in 1996 under consolidation were 11% lower than 1995 and lower than had been budgeted, even with additional budget and expenditures for the new consolidated Trial Court. Before the budget process for 1997 began, the court administrator met with the county treasurer's office, which expressed its opposition to combining the budgets of the three courts into one. The Trial Court did take a step away from separate court budgets, however, by presenting all of the budgets at the same time in budget hearings with county officials. As a result of the position taken by the county treasurer's office, the approved budget for court expenses in 1997 (see Figure 4C) is organized in the same manner as that for 1996. The budget is 6% lower than that for 1996, with the largest budget reduction being that for the district court. Demonstration project officials did not abandon the prospect of consolidating court budgets. In 1997, court leaders submitted a 1998 consolidated budget to the county commissioners, and it was approved. In order to achieve a consolidated budget, the judge for each division submitted a budget to the Trial Court chief judge, who reviewed each budget and prepared a unified court budget with the trial court administrator. The consolidated budget permits the trial court to set priorities together and</p>

TABLE D-1 (continued).
SUMMARY OF FINDINGS FOR ISABELLA COUNTY
UNDER CORE EVALUATION CRITERIA

Core Criterion	Summary of Final Evaluation Findings
	avoid competing for available funds. Also, expenses that could be combined, such as personnel and the public defender contract, were lumped into a single line item at an anticipated cost saving to the court. In spite of original resistance by commissioners and the county treasurer, the county administrator has indicated that the consolidated budget has made the budget process much easier.

TABLE D-2. PERSPECTIVES OF FOCUS GROUP PARTICIPANTS ABOUT COURT OPERATIONS AND DEMONSTRATION PROJECT IN ISABELLA COUNTY*

Stakeholder Category	Highlights of Positive Perceptions	Highlights of Negative Perceptions
Internal Stakeholders (9 focus group members)	<ul style="list-style-type: none"> Judges more familiar with specialized court offices Theories are good that there is always a judge available and that the courts are to be more user friendly Family court is a positive step towards dealing with the issues of children and families Increased appreciation regarding colleagues' roles in court system Increased relationships among personnel due to fact that all in same boat 	<ul style="list-style-type: none"> Bordering short of chaos. Too many changes, too fast Lack of adequate staff to support consolidation and lack of adequate cross training Have not reached the point of total consolidation More information needs to be disseminated to the public Unequal distribution of judicial workload Magistrates/referees are assuming more and more of the judicial workload FOC and juvenile workloads are falling behind due to overuse of referee in other areas Family court judge is over booked Family court services overburdened as services are mandated for increasing caseloads with archaic staffing levels Court administrator hired from outside court environment Increased turnover as a result of project Failure to follow through with recommendations from strategic planning work groups contributed to negativity Negative sentiments heard from law enforcement and attorneys Court leaders do not effectively communicate with line staff Office manager must be hired within business office to address and follow through with moderate conflicts More court staff are needed to address increased case volume as a result of tribal gaming, traffic team and increased population Majority of staff lost space to accommodate business office All staff members were treated as though resistant to change. No objection to change -- only the manner in which it was implemented Consolidation should terminate

* Source: April 1998 focus groups facilitated by NCSC evaluators.

TABLE D-2 (continued). PERSPECTIVES OF FOCUS GROUP PARTICIPANTS ABOUT COURT OPERATIONS AND DEMONSTRATION PROJECT IN ISABELLA COUNTY

Stakeholder Category	Highlights of Positive Perceptions	Highlights of Negative Perceptions
Institutional Participants (9 focus group members)	<ul style="list-style-type: none"> • A single judge in family court leads to more consistent and more informed decisions for children and families and avoids forum shopping • Criminal pleas may be accepted by all the judges • Increased times to disposition in criminal cases • Consolidation has freed up two judges from administrative work • Timely court hearings • Increased communication with bar via Bench/Bar meetings • Judges can cover for each other • Use of magistrates for civil cases moving cases along • Consolidation has made the court process more user friendly • Consolidation of business office a good idea (i.e. universal staff, universal files and universal hardware/software) 	<ul style="list-style-type: none"> • Perceived to be chaotic • Increased frustrations by Sheriff's Office in dealing with the courts • Still waiting an inordinate amount of time for hearings • Created more work for staff to the point of overwork and decreased efficiency • Unequal distribution of judicial workload • Longer waiting time in family court due to fact that family court judge is overworked • Law enforcement agencies absorbing more work that the courts used to do (i.e. paper waivers) • Judges should communicate more with law enforcement regarding new policies and to determine impact • Rocket docket at the expense of justice • Cannot determine whether increased case processing is a result of project or the increased use of non-attorney quasi judicial officers • Litigants unable to afford hearings before quasi judicial officers and judges if need for "appellate" review • Movement towards consolidation done without adequate communication to line staff -- critical for employee commitment. • A new court facility would have enhanced the consolidation • Movement of court offices have been a problem for public, attorneys and court staff • Consolidation effort should have been better planned, timed and implemented over time • Business office overwhelmed. As a result lost experienced staff and new staff still in learning curve • Scheduling is still problematic in that multiple hearings are scheduled for the same time. Congestion on the second floor impacting other court offices. • Numerous complaints regarding telephone accessibility • Problems with filing court documents if knowledgeable clerk staff not available. Attorneys and public told to come back at another time • Law enforcement and court personnel must stand in line for the business office with general public • Business office inefficient (i.e. warrants not recalled)

TABLE D-2 (continued). PERSPECTIVES OF FOCUS GROUP PARTICIPANTS ABOUT COURT OPERATIONS AND DEMONSTRATION PROJECT IN ISABELLA COUNTY

Stakeholder Category	Highlights of Positive Perceptions	Highlights of Negative Perceptions
Informed Citizens (10 focus group members)	<ul style="list-style-type: none"> • Theory of court consolidation is good (i.e. user friendly, one stop shopping, improved coordination among judge, consolidation of court functions and centralized business office • Record access is in one centralized location • Increased efficiency and cost savings • Vast improvement in civil case processing times • Criminal case processing times have improved • Improved service by FOC, employees are more friendly • Family court judge doing an excellent job given circumstances and lack of staff 	<ul style="list-style-type: none"> • No appreciable difference in quality of justice or swiftness of justice • Gaming related crimes and traffic team clogging up the courts • System tries to push matters through as fast as possible (i.e. Rocket Docket) • More difficult to access system • Court personnel too specialized. If unavailable, must call or come back at another time • Sense that there is little or no set orientation for staff • Inconsistent information given to public • Increased volume overwhelming staff and impacting quality of service to public • Perception that the increase in orders to counseling are to generate fees for the court • \$10 fee added to civil infractions and payable misdemeanors is wrong • Family court judge is overwhelmed with work • Continues to be problems with conflicting visitation orders and PPOs • Consolidation effort has little to do with case movement. Rather it is the personality and work ethic of the judges • No noticeable difference in case processing. Moves just as slowly as pre Demonstration Project. • Cases do not go when scheduled. Driving up attorneys' fees because of block scheduling and increased waiting times • Consolidation effort is still in process. Has not reached its maximum efficiency • Court has lost the human touch • Increased technology could enhance court operations • Money should be reallocated to ensure quality of justice (i.e. state should fund the court system)

**TABLE D-3.
SUMMARY OF FINAL EVALUATION FINDINGS
UNDER SPECIAL CRITERIA FOR ISABELLA COUNTY***

Special Criterion	Summary of Findings
4A. How effective has the consolidated court's special effort been with ADR providers in family and other cases?	During on-site evaluation interviews in April 1998, court leaders identified ADR efforts as an unmet goal of the demonstration project thus far, because ADR has been "put on the back burner." Although a court staff member was reassigned to act as the court's ADR coordinator, this position has not been fully used due to staff turnover. There have been other obstacles in the movement toward ADR, including problems in developing judicial and court staff commitment to its use.
4B. What are the results of having strategic planning work groups as a means to address court consolidation issues?	The strategic planning work group reports appear to have contributed in an important way to the manner in which several major steps were undertaken in the demonstration project. With the exception of the Tribal Issues Work group, however, the strategic planning work groups have been inactive and have not convened since the initiation of the demonstration project. There is no way to determine whether ongoing work group meetings could have minimized or sidestepped problems that arose during the demonstration project. There is a perception by the internal stakeholders, however, that work group plans and strategies were not fully implemented and if so could have avoided several problems such as staff resistance. Court leaders have indicated that a new work group is in development to address facilities planning for the new courthouse structure recently approved by the county commissioners. This work group would include cross-divisional court staff, judges, administrators, members of the community, members of the bar, law enforcement officials, probation representatives, FOC staff, clerk's office staff, the county clerk and county commissioners. It would conduct a needs assessment and make recommendations on space allocation.
4C. How effective has the consolidation effort been in allowing the court to meet any changes in caseload or case mix generated by Saginaw Chippewa Indian Tribe casino gambling?	A significant increase in court caseload (particularly traffic and misdemeanor cases) is happening at the time of the expansion of tribal casino gambling. Under the demonstration project, the judges are able to be more flexible in dealing with caseload fluctuations. A comparison of the age of the court's pending inventory in December 1996 with statewide time guidelines suggests that the court may have done as well or better in 1996 than it did in 1995 in civil and family cases, but that the pace of dispositions in criminal cases in 1996 was falling behind that in 1995. Data from 1997 indicate that, although felony times to disposition are increasing, misdemeanor times to disposition have remained fairly consistent with 1995 figures. On the other hand, the 1997 pending inventory for all criminal matters is much improved over that of 1996. This suggests that the Isabella County Trial Court is keeping up with the majority of cases, misdemeanors and traffic related, that have resulted from tribal gaming.

* For more details, see David Steelman, Karen Gottlieb and Dawn Rubio, *Michigan Trial Court Consolidation. Volume Four: Final Evaluation of Isabella County Demonstration Project* (Denver, CO: National Center for State Courts, Court Services Division, 1998), Chapter III.